

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PETER R. FITZGERALD,	:	
	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	
	:	NO. 17-3842
TRANS UNION, LLC,	:	
	:	
Defendant.	:	

ORDER

AND NOW, this 8th day of January, 2018, upon consideration of the Motion to Dismiss by Defendants Penn Liberty Bank and WSFS Bank (Doc. No. 11) and the Response of Plaintiff Peter R. Fitzgerald (Doc. No. 15), it is **ORDERED** that the Motion is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. Moving Defendants Motion to Dismiss Count I of the Complaint is **DENIED**; and
2. Moving Defendants Motion to Dismiss Count II of the Complaint is **GRANTED** and Count II is **DISMISSED** as alleged against Defendants Penn Liberty Bank and WSFS Bank.

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.